



SECTOR \$

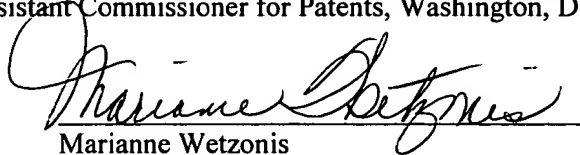
PATENT
Attorney Docket No. DVS-007 (2516/8)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Gaudreau et al.
SERIAL NO.: 09/479,982 GROUP NO.: 2817
FILING DATE: January 10, 2000 EXAMINER: Not yet assigned
TITLE: HIGH POWER MODULATOR

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on this 28th day of April, 2000.


Marianne Wetzonis

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

Transmittal Form (1 page);
Fee Transmittal (1 page);
Copy of Notice to File Missing Parts of Nonprovisional Application (1 page);
Response to Notice to File Missing Parts of Nonprovisional Application and
Request for Correction to the Filing Receipt (1 page);
Small Entity Status (1 page);
Declaration and Power of Attorney for Utility or Design Patent Application
(4 pages);
Copy of the Filing Receipt;
Check for \$575 (filing fee and surcharge); and
Return Postcard.



TRANSMITTAL FORM

Application Serial Number	09/479,982
Filing Date	January 10, 2000
First Named Inventor	Gaudreau et al.
Group Art Unit	2817
Examiner Name	Not yet assigned
Attorney Docket No.	DVS-007 (2516/8)

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Check Attached (basic filing fee and surcharge)
<input type="checkbox"/> Copy of Fee Transmittal Form
<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Form PTO-1449
<input type="checkbox"/> Copies of IDS Citations
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application | <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)
<input type="checkbox"/> Formal Drawing(s)
<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition to Convert to a Provisional Application
<input checked="" type="checkbox"/> Power of Attorney (Revocation of Prior Powers)
<input type="checkbox"/> Terminal Disclaimer
<input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application
<input checked="" type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> After Allowance Communication to Group | <input type="checkbox"/> Appeal Communication to Board of Patent Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Return Receipt Postcard
<input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)
• Request for Correction to the Filing Receipt
• Copy of Filing Receipt |
|--|---|--|

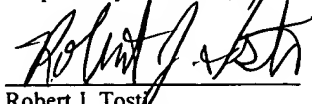
CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

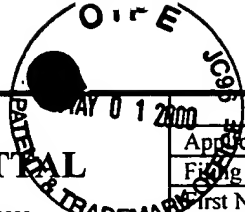
Date: April 28, 2000
Reg. No. 35,393
Tel. No.: (617) 248-7374
Fax No.: (617) 248-7100

Respectfully submitted,


Robert J. Tosti
Attorney for Applicant(s)
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

FEE TRANSMITTAL

Note: Effective January 10, 2000.
Patent fees are subject to annual revision



Complete if Known

Application Serial Number	09/479,982
Filing Date	January 10, 2000
First Named Inventor	Marcel P.J. Gaudreau
Group Art Unit	2817
Examiner Name	Not Yet Assigned
Attorney Docket No.	DVS-007 (2516/8)

METHOD OF PAYMENT

- ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other
- ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below to Deposit Account No. 20-0531.
☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.

FEE CALCULATION

1. FILING FEE

Large Entity

Fee (\$)	Fee Description	Fee Paid
690	Utility filing fee	690.00
310	Design filing fee	
150	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
Total Claims	34	- 20 = 14	x \$ 18.00 =	252.00

	Number Filed	Number Extra	Rate	Amount
Independent Claims	4	- 3 = 1	x \$ 78.00 =	78.00

☐ Multiple Dependent Claim(s), if any \$260.00 = 0.00

TOTAL: 1,020.00

SMALL ENTITY DISCOUNT: 510.00

SUBTOTAL (1) (\$510.00)

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
-------------------------------	---------------------------------	---------------	------	----------

Total - 20 = x \$ 18.00 =

Indep. - = x \$ 78.00 =

☐ First Presentation of Multiple Dep. Claim + \$260.00 =

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	65.00
50	25	Surcharge - late provisional filing fee or	
130	130	Non-English specification	
2,520	2,520	For filing a request for reexamination	
110	55	Extension for reply within first month	
380	190	Extension for reply within second month	
870	435	Extension for reply within third month	
1,360	680	Extension for reply within fourth month	
1,850	925	Extension for reply within fifth month	
300	150	Notice of Appeal	
300	150	Filing a brief in support of an appeal	
260	130	Request for oral hearing	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	
240	240	Submission of Information Disclosure Statement (37 CFR 1.97(c))	
130	130	Submission of Information Disclosure Statement (37 CFR 1.97(d))	
690	345	Filing a submission after final rejection (37 CFR 1.129(a))	
690	345	For each additional invention to be examined (37 CFR 1.129(b))	
		Other (Specify) Request for Corrected Filing Receipt	

SUBTOTAL (3) (\$ 65.00)

SUBTOTAL (1) 510.00

SUBTOTAL (2)

SUBTOTAL (3) 65.00

TOTAL (\$ 575.00)

CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator
Testa, Hurvitz & Thibault, LLP
High Street Tower-125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

Robert J. Tosti
Robert J. Tosti

Date: April 28, 2000
Reg. No.: 35,393
Tel. No.: (617) 248-7374
Fax No.: (617) 248-7100

Attorney for the Applicants
Testa, Hurvitz & Thibault, LLP
High Street Tower-125 High Street
Boston, MA 02110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gaudreau et al.
SERIAL NO.: 09/479,982 GROUP NO.: 2817
FILING DATE: January 10, 2000 EXAMINER: Not yet assigned
TITLE: HIGH POWER MODULATOR

Assistant Commissioner for Patents
Washington, D.C. 20231
Box Missing Parts -- Initial Patent Examination Division



RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROV. APPLICATION
AND
REQUEST FOR CORRECTION TO THE FILING RECEIPT

In response to the "Notice to File Missing Parts of Nonprovisional Application" mailed from the Patent Office on March 22, 2000, applicants enclose herewith:

- (1) an executed small entity statement;
- (2) a check for \$575.00 to cover the filing fee and the late filing fee/declaration surcharge for a small entity;
- (3) an executed declaration; and
- (4) a copy of the Notice to File Missing Parts of Nonprovisional Application.

Also, applicants request correction of the Filing Receipt (copy enclosed) to (1) correct the name of one of the inventors from "J. Michael Mulvaney" to correct his name which is --James M. Mulvaney--, and (2) remove "Dr." from Mr. Hawkey's name.

Applicants submit that no extension-of-time is required for this response and request, as it is being filed by first-class mail before the initial response deadline of May 22, 2000. If, however, any extension-of-time is required to have this response entered and considered, please consider this a conditional petition for the proper extension-of-time and a conditional authorization to charge our Deposit Account No. 20-0531 for the proper fee associated with the extension-of-time. Also, if any fee due with this response and request is not covered by the check(s) enclosed herewith, please consider this a conditional authorization to charge our Deposit Account No. 20-0531 for the fee.

Date: April 28, 2000
Reg. No. 35,393

Tel.: (617) 248-7374
Fax: (617) 248-7100
A989368-1

Respectfully submitted,

Robert J. Tosti, Attorney for Applicants
Testa, Hurwitz, & Thibeault, LLP
High Street Tower, 125 High Street
Boston, Massachusetts 02110

FORMALITIES LETTER



OC00000005002214

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/479,982	01/10/2000	Marcel P.J. Gaudreau	DVS-007(2516/8)

TESTA HURWITZ & THIBEAULT
HIGH STREET TOWER
125 HIGH STREET
BOSTON, MA 02110



Date Mailed: 03/22/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$330.
 - \$252 for 14 total claims over 20.
 - \$78 for 1 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Small Entity Statement is unsigned.
- The balance due by applicant is \$ 1150.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/03/2000 KZENWIE 00000019 09479982

01 FC:201	345.00
02 FC:202	39.00
03 FC:203	126.00
04 FC:205	65.00

COPY

FILING RECEIPT



OC00000005002213

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/479,982	01/10/2000	2817	0	DVS-007(2516/8)	8	34	4

TESTA HURWITZ & THIBEAULT
HIGH STREET TOWER
125 HIGH STREET
BOSTON, MA 02110

RECEIVED

MAR 27 2000

PATENT DEPARTMENT
TESTA, HURWITZ & THIBEAULT

Date Mailed: 03/22/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate an ther Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Marcel P.J. Gaudreau, Lexington, MA ;
 Michael A. Kempkes, Westford, MA ;
~~Timothy J. Hawkey, Lincoln, MA ;~~
 Jeffrey Casey, Winchester, MA ;
~~James M. Mulvaney, Southborough, MA ;~~
 Peter A. Dandridge, Lynn, MA ;

James M. Mulvaney

Continuing Data as Claimed by Applicant

Foreign Applications

If Required, Foreign Filing License Granted 03/21/2000

Title

High power modulator

Preliminary Class

332

COPY

Data entry by : SMITH, KAREN

Team : OIPE

Date: 03/22/2000



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231